

Assembly Bill No. 1835

CHAPTER 230

An act to add Sections 1182.12 and 1182.13 to the Labor Code, relating to employment.

[Approved by Governor September 12, 2006. Filed with
Secretary of State September 12, 2006.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1835, Lieber. Minimum wage.

Existing law requires establishment of a minimum wage for all industries of not less than \$5.75 per hour on and after March 1, 1998. Under existing law, the Industrial Welfare Commission is authorized to determine minimum wages in accordance with a prescribed procedure that includes the selection of wage boards to consider and make recommendations regarding wage issues. The current minimum wage for all industries is \$6.75 per hour.

This bill would increase the minimum wage to \$7.50 per hour, effective on and after January 1, 2007, and to \$8.00 per hour, effective on and after January 1, 2008.

This bill would require the Department of Industrial Relations to adjust upwards the permissible meals and lodging credits by the same percentage as the increases in the minimum wage and to amend and republish the Industrial Welfare Commission's wage orders to be consistent with this bill.

This bill would require every employer that is subject to an amended republished order required under the bill to post in a specified manner a copy of the order.

The people of the State of California do enact as follows:

SECTION 1. Section 1182.12 is added to the Labor Code, to read:

1182.12. Notwithstanding any other provision of this part, on and after January 1, 2007, the minimum wage for all industries shall be not less than seven dollars and fifty cents (\$7.50) per hour, and on and after January 1, 2008, the minimum wage for all industries shall be not less than eight dollars (\$8.00) per hour.

SEC. 2. Section 1182.13 is added to the Labor Code, to read:

1182.13. (a) The Department of Industrial Relations shall adjust upwards the permissible meals and lodging credits by the same percentage as the increase in the minimum wage made pursuant to Section 1182.12.

(b) The Department of Industrial Relations shall amend and republish the Industrial Welfare Commission's wage orders to be consistent with this section and Section 1182.12. The department shall make no other changes to the wage orders of the Industrial Welfare Commission that are in existence on the effective date of this section. The department shall meet the requirements set forth in Section 1183.

(c) Every employer that is subject to an amended republished order under this section shall post a copy of the order and keep it posted in a conspicuous location frequented by employees during the hours of the workday as required by Section 1183.

(d) Wage orders that are amended and republished as required under this section shall be final and conclusive for all purposes and dispositive of all pending petitions before the Industrial Welfare Commission as of the effective date of the act adding this section. Any amendment and republication pursuant to this section shall be exempt from the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code), and from the procedures set forth in Sections 1177, 1178.5, 1181, 1182, and 1182.1.